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REMARKS

Applicants cancel claim 27. Claims 1-26 and 28-31 remain pending in the application. Applicants amend claim 26 to incorporate features that correspond to those of claim 27. No new matter has been added.

Applicants acknowledge with apprcciation the Examiner's finding that claims 5-12, 15, 17-19, 22, 24-25, and 29-31 contain allowable subject matter. Applicants respectfully submit that claim 1, from which the allowable claims depend, is patentable over the reference cited against it, as demonstrated below. Accordingly, Applicants request that the Examiner also allow claims 5-12, 15, 17-19, 22, 24-25, and 29-31.

Claims 1-2 and 4 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,026,115 to Higashi et al.; claim 3 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Higashi et al. in view of PCT Patent Application Publication No. WO 02/029996 to Aldaz et al.; claims 13-14 and 16 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Higashi et al. in view of U.S. Patent No. 6,683,924 to Ottosson et al.; claims 20-21 and 23 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Higashi et al. in view of U.S. Patent Application Publication No. 2003/0108091 to Nishio et al. Applicants respectfully traverse the rejections.

The Examiner relied upon Higashi et al., and the description therein of a RAKE receiver, as the principal reference that allegedly discloses the claimed invention. Applicants respectfully point out to the Examiner that the code generator 53, correlator 52, and correlation decision portion 54 described in Higashi et al. do not generate MICTs, but, instead, identify a path with respect to an input signal. Col. 6, lines 54-61 of Higashi et al. In addition, the cited timing controller 51 described in Higashi et al. merely sequentially assigns the timings of identified

paths to corresponding code generators. Col. 6, lines 54-61 of Higashi et al. As such, Higashi et al., as cited and relied upon by the Examiner, fail to disclose the claimed MICT generator and timing selector.

In other words, Higashi et al., as cited and relied upon by the Examiner, fail to disclose,

> "[a] RAKE receiver having a MIXR function, comprising:
> a path searcher which detects path timings of a plurality of paths from a received signal;
> a MICT generator which generates MICT (Multipath Interference Correlative Timing) for each of the plurality of path timings detected by the path searcher;
> a timing selector which selects path timings and MICTs from among the detected path timings and the generated MICTs in such a manner that the total number of timings becomes equal to a predetermined number;
> a despreader which despreads the received signal at each of the path timings and the MICTs selected by the timing selector;
> a combiner which, if an MICT has been selected for a path timing, combines the result of despreading performed at the timing of the MICT with the result of despreading performed at the path timing; and
> a RAKE combiner which combines outputs of the combiner by using a RAKE combining technique," as recited in claim 1. (Emphasis added)

Accordingly, Applicants respectfully submit that claim 1, together with claims 2 and 4 dependent therefrom, is patentable over Higashi et al. for at least the foregoing reasons. The Examiner relied upon Aldaz et al., Ottosson et al., and Nishio et al. as combining references to specifically address additional features recited in dependent claims 3, 13-14, 16, 20-21, and 23, respectively. Thus, the additions of these references would still have failed to cure the above-described deficiencies of Higashi et al. with respect to claim 1, even assuming, arguendo, that such additions would have been obvious to one skilled in the art at the time the claimed invention was made. Accordingly, Applicants respectfully submit that claims 3, 13-14, 16, 20-

21, and 23, which depend from claim 1, are patentable over the cited references for at least the foregoing reasons.

Claims 26 and 28 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Ottosson et al.; and claim 27 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Ottosson et al. in view of Nishio et al. Applicants amend claim 26 to incorporate features that correspond to those of claim 27 and respectfully traverse the rejection thereof.

The Examiner relied upon the description in Ottosson et al. of assigning "desired signal collecting correlation times" first, "with remaining available fingers in the receiver being assigned to interference collecting correlation times" as alleged disclosure of the claimed timing assigning means. Col. 11, lines 18 et seq. of Ottosson et al. Applicants respectfully point out that neither Ottosson et al. nor Nishio et al., as cited and relied upon by the Examiner, disclose or suggest the claimed detection of timings that are symmetric on a time axis. The cited portions of Nishio et al. that were relied upon by the Examiner as disclosure of this feature only include illustration and description of three path timings. Fig. 4 and paragraph [0034] of Nishio et al. Such portions of Nishio et al. do not disclose or suggest timings that are symmetric on a time axis or the detection of such timings at symmetric positions.

In other words, even assuming, arguendo, that it would have been obvious to one skilled in the art at the time the claimed invention was made to combine Ottosson et al. and Nishio et al., such a combination would still have failed to disclose or suggest,

> "[a] receiver for receiving a direct code spread signal, comprising:
> first timing detecting means for detecting path timings of multipaths;
> second timing detecting means for detecting, based on each of the detected timings, a timing for obtaining an interference reducing signal;

timing assigning means for assigning selected ones of the plurality of timings detected by the first and second timing detecting means to a plurality of despreaders, respectively; and

a combiner for combining outputs of the plurality of despreaders, wherein

the second timing detecting means is a means for detecting a timing located on a time axis at a position symmetric to another timing which is one of the timings detected by the first timing detecting means, the two timings being located symmetrically to each other with respect to a selected one of the timings likewise detected by the first timing means, and

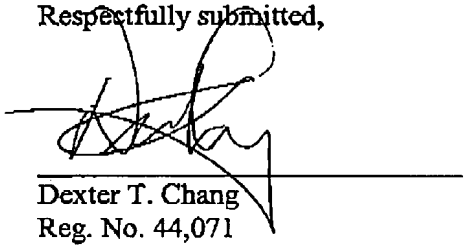
the timing assigning means also assigns the selected one of the timings when assigning the timing detected by the second timing detecting means," as recited in claim 26. (Emphasis added)

Accordingly, Applicant respectfully submits that claim 26, together with claims 28 dependent therefrom, is patentable over Ottosson et al. and Nishio et al., separately and in combination, for at least the above-stated reasons.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



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